

**BASLOW & BUBNELL PARISH COUNCIL BURIAL GROUND**  
**RULES, REGULATIONS AND FEES**

**DEFINITIONS**

1. The following definitions apply to these Rules, Regulations and Fees:
  - (a) The 'Landowner' and 'Burial Authority' means the Baslow & Bubnell Parish Council
  - (b) 'Clerk' means the officer for the time being appointed by the Burial Authority, responsible for the Burial Ground provided by and under the control of the Burial Authority. This is the Clerk to the Burial Authority.
  - (c) 'Cemetery' means the Baslow and Bubnell Burial Ground
  - (d) 'Parish' means the parish of Baslow and Bubnell.
  - (e) 'Resident' means a person residing within the Parish. Residential status shall also be granted to the following:
    - (i) to anyone who would normally reside in the Parish but due to ill health, infirmity or disability has moved into care with a registered provider or a family member located outside of the Parish.
    - (ii) a still born child where at least one of the parents is a Resident.
    - (iii) A person who resided in the Parish for a reasonable length of time within the period of five years before their death.
  - (f) 'Legal Personal Representative' means the Executor, the Next of Kin, the Administrator or the Agent of the deceased's estate.
  - (g) 'The Proprietor' means the person who has acquired the exclusive right of burial or their descendants, together with the right to erect a memorial on the plot. He or she is responsible throughout the lifespan of the memorial for its general condition and stability.
  - (h) 'The Mason/Erector' means the mason/erector having been commissioned by the Proprietor and has a duty of professional care and must abide by the regulations laid down by the landowner. The memorial must be set securely and be of merchantable quality.
  - (i) 'Garden of rest' means the top area of the burial ground where cremated remains are interred.

**APPLICATIONS**

2. Applications for interment or the interment of ashes are to be made to the Clerk to the Burial Authority. The scattering of ashes within the Cemetery is not permitted.
3. Subject to paragraph 4 below only a Resident may be interred or have their ashes interred within the Cemetery.
4. The Burial Authority may at their discretion consent to the interment of a non-Resident on the application in writing of the non-Resident's Legal Personal Representative. Such application must set out the deceased's connections with the Parish with supporting evidence.
5. The exclusive right of burial in a grave may be purchased at the time of the interment only and on payment of the appropriate fee by the Legal Personal Representative of the deceased Resident. For the avoidance of doubt the exclusive right of burial may not be purchased in advance of death of a Resident.
6. An exclusive right of burial may only be exercised for the benefit of a deceased Resident unless permission is obtained from the Burial Authority pursuant to paragraph 4 above.
7. Grave spaces are to be allocated in numerical order in accordance with the plan of the burial ground.

8. Applications for erection of headstone and additional inscriptions are to be made to the Clerk to the Burial Authority, and designs submitted for approval before work is put in hand. Applicants should be aware that no monument, gravestone or tablet can be erected unless a Grant of Exclusive Right of Burial has been made. In the case of any disagreement with the Clerk's decision then it will be referred to a full meeting of the Burial Authority whose decision shall be final.
9. The fees for all Cemetery services will be determined by the Burial Authority from time to time. All fees are payable in advance to the Burial Authority. Fees should be paid by bank transfer or cheque not cash.

#### **RULES FOR THE PROPRIETOR**

10. The following rules must be observed by the proprietor:
  - (a) The proprietor is responsible for the memorial and its general condition, upkeep and stability.
  - (b) Headstones shall not exceed 2 feet 6 inches in height and 12 inches wide. Reconstructed stone is not permitted; polished black or grey stone or local gritstone is the preferred material. All vertical memorials shall be sited not less than 610mm (2 feet) from the edge of the grave and in any case will not be installed until the ground of the filled in grave has stabilized. Normally 6 months should be allowed for this (not normally necessary for 'ashes' memorials). No 'ashes' memorial shall be higher than 610mm (2 feet) and width 460mm (18ins) above ground level.
  - (c) The preferred memorial design is for a simple vertical stone mounted on a plinth of the same stone. However, as an alternative, a simple horizontal stone tablet inset into the ground in line with other headstones will be permitted. Kerbs to grave plots are not allowed. Photographs may not be incorporated into memorials.
  - (d) The memorial must rest on a sub base of concrete or similar material sunk into the ground and be at least 50mm (2ins) wider all round than the plinth. The vertical headstone shall rest on a plinth of sufficient width to provide a stable support. The headstone shall be keyed to the base with two stainless steel tubes minimum 13mm (½in) wide and 150mm (6ins) long.
  - (e) It is the responsibility of the person who commissions the erection or is deemed the owner of a memorial to maintain the memorial in a safe condition. All memorials shall have a permanent mark identifying the monumental mason supplying the memorial (this will normally be on the rear of the plinth).
  - (f) The burial ground shall be maintained in a level condition without any permanent earth mounds.
  - (g) Only vases, real flowers, wreaths and small planters can be placed on graves. No lights or other memorabilia may be kept on the grave. No planting will be allowed.
  - (h) No body shall be buried, or human remains interred or scattered, in or over any grave in which an exclusive rights of burial for the time being subsists except by, or with the consent in writing of the owner of the right. This shall not extend to the body or remains of:
    - i. The person who immediately before his death was the owner of the right;
    - ii. Any other person specified in the deed of grant or in any endorsement thereon made at the request of the owner by the Clerk of the Burial Authority.

#### **RULES FOR THE LANDOWNER**

11. The landowner is the steward of the burial ground with ultimate responsibility for maintenance and safety. In pursuance of this responsibility, the landowner must:
  - (a) maintain a register of all burials in accordance with current regulations;
  - (b) ensure that the proprietor abides by the rules laid down;
  - (c) possess adequate insurance to cover accidental, storm, vandal and other damage;

- (d) ensure that printed regulations laying out the rules and responsibilities are made available to funeral directors and clients.
- (e) carry out an inspection of all monuments shall be made every five years to ensure that they are stable and do not pose a risk to any person in the burial ground. The date and result of this inspection and actions taken shall be recorded by the Burial Clerk.
- (f) maintain the burial ground. The branches of trees overhanging the burial ground shall be kept pruned to allow a minimum headroom of at least 2750mm (9 feet). The paths and spaces between rows of memorials shall be kept clear of anything that could be a hazard to a pedestrian. The Parish Council will arrange for an appropriate number of grass cuts to be made to the Burial Ground during the growing season. The Parish Council will arrange for the rubbish bin at the Burial Ground to be emptied on a regular basis
- (g) The landowner may take such action as is necessary to ensure the observance of regulations. This may include the removal of any object deemed to be unsuitable or inappropriate.

## **CONDUCT**

12. All persons must conduct themselves in a decent, quiet and orderly manner and must not:

- (a) Create any disturbance or nuisance.
- (b) Interfere with any burial.
- (c) Interfere with any grave, stone or other memorial or floral tribute.
- (d) Play any game or sport.
- (e) Ride a bicycle or use any other recreational equipment.
- (f) Deposit litter or spent floral tributes other than in the receptacles provided for such purposes.
- (g) Bring animals, except for dogs that are on leads at all times and under control. Dog fouling must be cleaned up and disposed of in an appropriate bin.

13. Children under the age of 12 years must be accompanied by an adult.

14. Members of the Council/the Clerk to the Council has the right to exclude or remove members of the public whose conduct is unsatisfactory.

## **HEALTH AND SAFETY IN THE BURIAL GROUND**

15. Dug and partly dug graves prior to interment shall be kept securely covered when not being worked. Graves shall be dug not more than 2 days before interment unless prior notice is given to the Burial Clerk who shall ensure that the open grave is safely secured. This is especially important in wet weather when the ground may not be stable.

16. If anything appertaining to a grave is deemed to be of an immediate hazard then an officer of the Parish Council may authorize remedial action without reference to the grave's owner. However, after action has been taken, all efforts shall be taken to inform the owner of the grave of the action taken and recover costs where appropriate.

## APPENDIX A - FEES

1. The entitlement to exclusive right of burial, interment and / or interment of ashes is in accordance with the Rules and Regulations
2. The fees indicated do not include the digging of the grave.
3. **Exclusive Right of Burial in Earthen Graves** - Fees for Exclusive Right of Burial for a period not exceeding one hundred years are as follows:
  - i. in an earthen grave 9 x 4 feet: £450.00
  - ii. of cremated remains in an earthen grave 18 x 18 inches in the Garden of Rest £150.00

These fees include the deed of the Grant of Exclusive Right of Burial and all the expenses thereof.

5. **Interment** - Fees for interment are as follows:
  - I. of the body of a still born child or a child whose age at the time of death did not exceed one year: NO CHARGE
  - II. of the body of a child whose age at the time of death exceeded one year, but did not exceed 16 years: £150.00
  - III. of the body of a person whose age at the time of death exceeded 16 years: £250.00
  - IV. of cremated remains in the Garden of Rest, or in an existing grave £100.00
6. **Monuments, Gravestones, Tablets and Monumental Inscriptions** - For the right to erect or place on a grave for which exclusive right of burial has been granted, the following fees apply:
  - I. for a headstone not exceeding 2 feet 6 inches in height above the ground, in a stone and with an inscription, both approved by the Burial Authority £150.00
  - II. in the case of cremated remains in the Garden of Rest, for a stone with inscription approved by the Burial Authority: £100.00
  - III. for each additional inscription: £50.00
  - IV. for a vase not exceeding 12 inches in height: £50.00
7. **Searches of Register Books** - The register of burials shall at all reasonable times be available for consultation by any person free of charge. Where a search is conducted by a representative of the Burial Authority, the following charges apply:
  - I. for first half hour: £75.00
  - II. for every additional half hour: £25.00

### Review of Fees

8. Fees may be revised periodically by the Burial Authority.

BY RESOLUTION, APPROVED AT THE PARISH COUNCIL MEETING HELD ON 21ST NOVEMBER 2023